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BILL



ANALYSIS

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Senate Bill 13 (as passed by the Senate)
Sponsor: Senator Marty Knollenberg
Committee: Elections and Government Reform

Date Completed: 11-13-15

CONTENT

The bill would amend the Michigan Election Law to do the following:

- **Delete provisions that allow voters to cast a "straight ticket" or a "split ticket" in the partisan section of the general election ballot.**
- **Prohibit ballot labels in partisan elections from including a position allowing electors to vote for all of the candidates of one party by a single selection.**
- **Appropriate \$1.0 million for the 2015-16 fiscal year to the Department of State for it to assess the impact of eliminating straight-party voting and perform other functions.**

Straight-Party Voting

The Election Law requires specific ballot marking instructions to be printed on the front of the ballot secrecy sleeve, or placed in a clear pocket on the front of the ballot secrecy sleeve, used at a general election. The partisan section of these instructions states that the voter may cast a "straight ticket", a "split ticket", or a "mixed ticket", as follows:

Straight Ticket: Vote the party of your choice. Nothing further need be done in the partisan section.

Split Ticket: You may vote a straight ticket AND vote for individual candidates of your choice.

Mixed Ticket: Vote for the individual candidates of your choice in each office.

Under the bill, the ballot instructions for the partisan section would have to allow a voter to cast only a mixed ticket.

In partisan elections, the Election Law requires the ballot label to include a position by which the voter may by a single selection record a straight party ticket vote for all the candidates of one party. The Law also allows a voter to vote a split or mixed ticket. The bill would delete these provisions.

Instead, in partisan elections, the bill would prohibit a ballot label from including a position by which a voter could by a single selection record a straight party ticket vote for all the candidates of one party.

The bill also would delete provisions for straight-party voting in regard to emergency ballots, the placement of check marks or crosses on ballots by voters, and the counting of votes by the Board of State Canvassers.

Appropriation

For the 2015-16 fiscal year, the bill would appropriate \$1.0 million from the General Fund to the Department of State for it to do all of the following:

- Assess the impact of eliminating straight-party ticket voting
- Assist in ongoing compliance and fraud prevention in elections.
- Conduct thorough postelection audits of selected precincts after each election.
- Provide remedial follow-up with local election officials to correct any election errors and compliance issues.
- Audit file maintenance by local election officials.
- Provide equipment to facilitate the integrity of the election process.

MCL 168.736c et al.

BACKGROUND

In 2001, an attempt was made to eliminate straight-party (or straight-ticket) voting in Michigan. Specifically, Public Act 269 of 2001 amended the Michigan Election Law to, among other things, prohibit electors from voting a straight political party ticket, "that is, from voting for all of the candidates for elective office who are on the ballot representing a single political party by a single selection on the ballot". As a result of a petition drive, the legislation was placed before the electors on the November 2002 general election ballot. If a majority of the individuals voting had voted to approve Public Act 269, it would have taken effect. The law was defeated by the voters, however, retaining straight-party voting.

According to the National Conference of State Legislatures, Michigan is one of 10 states that allow straight-party voting (as of July 2015). The other states that allow it are Alabama, Indiana, Iowa, Kentucky, Oklahoma, Pennsylvania, South Carolina, Texas, and Utah.

Legislative Analyst: Suzanne Lowe

FISCAL IMPACT

State: The bill would result in an indeterminate cost for the Department of State, specifically the Bureau of Elections; however, \$1.0 million in General Fund revenue would be appropriated to the Department to cover the cost. The proposed changes regarding voting instructions and the elimination of straight-ticket and split-ticket voting would require the Department to revise its education and training of county clerks and staff. The costs of the education and training are indeterminate and would depend on the materials that could need to be purchased and the number of trainings conducted with county clerks across the State. Depending on the costs, the Department could need additional appropriations above the \$1.0 appropriated in the bill to carry out the education and training that would become necessary.

Local: The bill would lead to new printing costs for local units of government due to the changes to the general election ballot marking instructions. Although many local units of government already might have these instructions printed and use them for each general election, those instructions would no longer meet the requirements of the proposed changes and thus new ballot marking instructions would need to be printed. The related costs, which would be incurred by the local units of government, are indeterminate and would depend on the number of ballot instructions printed, etc. County clerks also could incur an indeterminate amount of additional costs for training local clerks and staff based on the new education and training received from the Department of State.

In addition, according to the Department of State, the proposed changes, in particular the elimination of straight- and split-ticket voting, could cause an increase in the time it takes to

vote due to the voters' reading the new instructions as well as having to mark their vote for each candidate, rather using the straight-ticket voting option that would no longer be available. As a result, it could become necessary for local units of government to purchase additional voting booths, which would be a cost to the local units.

Fiscal Analyst: Joe Carrasco

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.